

Analyses showed that the pills for kidney and bladder ailments contained magnesium carbonate, potassium nitrate, and plant material including uva ursi and buchu, coated with sugar and calcium carbonate; that the rheumatic relief tablets contained acetylsalicylic acid (5 grains per tablet) and plant material including colchicum.

The Precision Pills For Kidney and Bladder Ailments were alleged to be misbranded in that the label on the bottle and a circular enclosed in the package bore and contained false and fraudulent statements that the article was effective, among other things, as a treatment, remedy, and cure for kidney and bladder ailments; and effective to bring relief from most ailments of the kidney and bladder caused by accumulated waste matter.

The Precision Rheumatic Relief Tablets were alleged to be misbranded in that the label on the bottle bore false and fraudulent statements that the article was effective, among other things, as a rheumatic relief; effective as a treatment, remedy, and cure for rheumatism, rheumatic pains, and rheumatic conditions; and effective as a treatment, remedy, and cure for rheumatism and rheumatic pains caused by bad teeth, infected tonsils, wrong eating, and various deep-seated constitutional diseases.

On January 20, 1936, each of the defendants entered a plea of guilty and a fine of \$25 was imposed upon each.

W. R. GREGG, *Acting Secretary of Agriculture.*

25149. Adulteration and misbranding of Prescription Brand Straight Bourbon Whiskey. U. S. v. 648 Cases of Prescription Brand Straight Bourbon Whiskey. Trial by the court. Decree of condemnation and forfeiture. Product released under bond for relabeling. (F. & D. no. 36463. Sample nos. 32646-B, 32816-B.)

This article differed from the pharmacopoeial standard and its label bore incorrect statements concerning its quality.

On October 8, 1935, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 648 cases of Prescription Brand Straight Bourbon Whiskey at Des Moines, Iowa, alleging that the article had been shipped in interstate commerce on or about August 23 and October 4, 1935, by Fort Clark Distilleries, Inc., Peoria, Ill., from that place to Des Moines, Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Prescription Brand Straight Bourbon Whiskey 'Chemically Assayed' * * * is standardized straight bourbon whiskey, prepared for nurses, hospitals, and physicians;" (booklet) "U. S. Food and Drugs Acts have been complied with in the manufacture of this Prescription Whiskey. * * * Prescription Whiskey is superior to U. S. P. requirements in purity."

Analysis showed that the article contained esters in 50 cubic centimeters equivalent to 1 cubic centimeter of tenth-normal sodium hydroxide; and the United States Pharmacopoeia specifies that whisky contain in 50 cubic centimeters esters equivalent to not less than 1.7 cubic centimeters of tenth-normal sodium hydroxide.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, namely, whisky, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia.

The article was alleged to be misbranded in that statements appearing upon the label and in a circular were false and misleading in that they created the impression that the article was of the quality suitable for dispensing upon prescriptions for whisky. The Fort Clark Distilleries, Inc., the consignor, and the Iowa Liquor Control Commission, the consignee, jointly appeared and answered. Trial was by the court.

On December 10, 1935, a decree was entered adjudging condemnation and forfeiture, but providing that upon payment of costs and the furnishing by the Iowa Liquor Control Commission of a bond in the sum of \$1,000, the whisky might be relabeled so that it might be sold without violating any law of the United States or of any State. No appeal.

W. R. GREGG, *Acting Secretary of Agriculture.*